

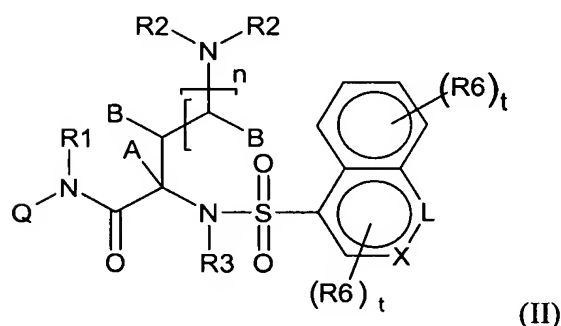
REMARKS

Claims 31-55 are pending in this application; claims 31-43, 52, 53, 55, and 56 are withdrawn from consideration. By the Office Action, claims 44, 47-49, and 54 are rejected under 35 U.S.C. §102. The Office Action also appears to suggest that dependent claims 45, 46, 50, and 51 contain allowable subject matter (*see* page 4 of the Office Action).

Rejection Under 35 U.S.C. §102

The Office Action rejects claims 44, 47-49, and 54 under 35 U.S.C. §102(b) as allegedly being anticipated by Okamoto et al. (EP Publication No. 0 183 271, hereinafter "Okamoto"). Applicants respectfully traverse the rejection, asserting that Okamoto fails to disclose all of the elements of claims 44, 47-49, and 54.

Initially, Applicants note that independent claim 44 recites "a compound of Formula II



or a pharmaceutically acceptable salt or ester thereof, wherein ...n is the integer 1 or 2." The Office Action asserts that the claimed compound of Formula II is anticipated by Compound 13 disclosed in Okamoto (*see* page 3 of the Office Action). However, as acknowledged on page 3 of the Office Action, in Compound 13 of Okamoto, n is 3 (*see* page 3 of the Office Action).

For at least this reason, Applicants submit that Okamoto fails to disclose each and every element of independent claim 44 (and dependent claims 47-49, and 54), as required for

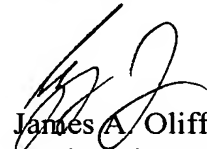
anticipation under 35 U.S.C. §102(b). Okamoto thus does not anticipate claims 44, 47-49, and 54. Reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:AMJ/dxc

Attachment:
Petition for Extension of Time

Date: September 11, 2009

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